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FM AMEMBASSY CARACAS
TO RUEHC/SECSTATE WASHDC PRIORITY 1877
INFO RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS
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TREASURY FOR MMALLOY
COMMERCE FOR 4431/MAC/WH/MCAMERON
CA FOR CA/OCS/ACS FOR WILLIAM HURST

E.O. 12958: N/A

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SUBJECT: VENEZUELA REFUSES USG REQUEST FOR AVIATION
CONSULTATIONS

REF: CARACAS 1266

11. (U) On September 16 the Venezuelan Ministry of Foreign Affairs (MFA) and the Venezuelan Civil Aviation Authority (INAC) both acknowledged receipt of the Embassy's diplomatic note requesting consultations under the authority of the 1953 bilateral aviation agreement with Venezuela. That note cited the September 10 INAC letter that threatened U.S. carriers Delta, Continental and American with flight reductions starting Sunday September 28 and requested consultations prior to any action against U.S. airlines (reftel). Since that date the Embassy has followed up daily to request a response to the diplomatic note. The response (informal translation in Para. 2 below) arrived on Friday, September 26 at 6:00 pm DC time.

12. (U) An informal translation of Bolivarian Republic of Venezuelan (BRV) Diplomatic Note No. 000564 follows.

BEGIN TEXT INFORMAL TRANSLATION:

The Ministry of Popular Power for International Relations, Office of the Vice Minister for North American Affairs and Multilateral Issues, salutes the Honorable Embassy of the United States of America and would like to take this opportunity to refer to the Verbal Note No. 617 dated September 16, 2009, directed to the National Institute of Civil Aviation (INAC) regarding a request for consultations on the part of the Embassy referring to the air frequencies of U.S. airlines.

The Minister of Popular Power for International Relations, Office of the Vice Minister for North American Affairs and Multilateral Issues would like to inform that, in response to the above mentioned communication from the Embassy, the National Institute of Civil Aviation (INAC) highlights the following points:

The National Aeronautic authority observes with satisfaction the request presented by the Embassy of the United States, which finally came under the framework established in the commercial aviation treaty signed and in effect between both countries.

However, it is curious that the above mentioned request was made in the interests of avoiding frequency reductions of airlines of the United States by this Authority; when it was the U.S. federal transport agency (TSA) which decided to act in such a suppressive and inconsistent manner, before the day established by this same agency (TSA) and thereby committed

an outrage against the normal development of air transport between both countries and tried also to impose by extraterritorial force internal U.S. laws in our nation. In light of the aforementioned considerations, this Institute hopes that TSA will desist in its actions against national aviation, and cease in its line of disparaging remarks, in this instance against national air terminals, so that the Venezuelan State can effectively evaluate the possible consultations.

Complimentary closing. Caracas, September 26, 2008.

13. (U) Comment. We will now wait to see whether the BRV will cut U.S. air carrier flight frequencies on Sunday, September 28, as threatened by INAC in its September 10 letter to U.S. companies. Despite the strident tone of this message, it is unclear whether the BRV will carry out its threat to reduce frequencies effective September 28.
CAULFIELD